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May 4, 2009

Honorable E. Thomas Boyle
Magistrate Judge
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: **Fernandez v. Central Mine Equipment**
Docket No. CV-06-03940 (LDW) (ETB)

Dear Magistrate Boyle:

We represent the plaintiff in the above referenced matter. Pursuant to the Court's briefing Schedule, plaintiff's opposition to the defendant's motion is due on May 6, 2009. We have just completed our opposition papers, yet at the request of the plaintiff, need to send the papers to him for review prior to their submission. Consequently, we respectfully request a two (2) week extension to submit opposition to defendant Central Mine Equipment's Motion to Exclude and for Summary Judgment and defendants time to reply. We respectfully request that the following briefing schedule be granted:

Plaintiff's Opposition on or by 5/20/2009;
Defendants's Reply on or by 6/5/2009.

I have contacted the defense counsel who consents to this application and the revised schedule.

Thank you for your consideration of this request. Should you have any questions or need to discuss this further, please feel free to contact me at 516-284-2218 or via email at rmazzuchin@brandglickbrand.com.

Respectfully Submitted,

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